

S/N 10/768,976

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keith V. Wood et al.

Examiner: Rosanne Kosson

Serial No.: 10/768,976

Group Art Unit: 1653

Filed: January 30, 2004

Docket: 341.020US1

Title: COVALENT TETHERING OF FUNCTIONAL GROUPS TO PROTEINS

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Janet E. Embretson, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on January 30, 2004. I am making this petition on behalf of Promega Corporation, the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Promega Corporation, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/768,976) and to U.S. Serial No. 11/194,110. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Serial No. 11/194,110 was recorded on September 29, 2005 on Reel 016846, Frame 0814, with the United States Patent and Trademark Office. The assignment for the above-identified patent application (Serial No. 10/768,976) was recorded on May 27, 2004 on Reel 014676, Frame 0326.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Promega Corporation, seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Serial No. 11/194,110. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Serial No. 11/194,110 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which may be granted on U.S. Serial No. 11/194,110 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Serial No. 11/194,110.

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Fee Status

Please charge Deposit Account 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KEITH V. WOOD ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

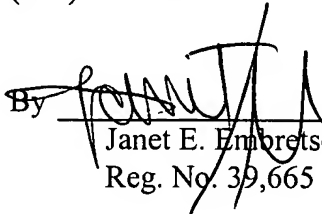
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Date

November 1, 2006

By


Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1st day of November 2006.

Name

Dawn M. Pove

Signature

Dawn M. Pove